



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No 98,392)

GB/1614.
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In re Application of

Jonathan Embleton et al.

Serial No.: 09/091,958

Filed: June 7, 1999

For: Ophthalmic Treatment

Examiner: Z. Fay

Group Art Unit: 1614

Asst. Commissioner for Patents
Washington, D.C. 20231

Sir:

TRANSMITTAL LETTER

In regard to the above identified application:

1. We are transmitting herewith the attached:

- a. Supplemental Information Disclosure Statement;
- b. Form PTO-1449 and 12 Cited Reference;
- c. Postcard.

2. With respect to additional fees:

- ☒ A. A check in the amount of \$240.00 is attached..
- B. Charge the total additional fee to our Deposit Account No. 13-2490.
A duplicate copy of this sheet is enclosed.

3. Please charge any additional fees or credit overpayment to Deposit Account No.13-2490. A duplicate copy of this sheet is enclosed.

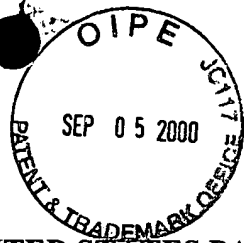
4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Asst. Commissioner for Patents, Washington, D.C. 20231 on this 30th day of August 2000.

By :

Steven J. Sarussi
Reg. No. 32,784

McDONNELL, BOEHNEN,
HULBERT & BERGHOFF, LTD.
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S.B.
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PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 98,392)

In the Application of:)

Jonathan K. Embleton, et al.)

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Before the
Examiner: Z. Fay

Art Unit: 1614

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Asst. Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

This prior art statement is filed under 37 C.F.R. §§1.97-1.98 in compliance with the duty of disclosure set forth in 37 C.F.R. §1.56. Also, enclosed is the requisite fee pursuant to 37 C.F.R. §§1.97(c) and 1.17(p), \$240.00.

In the judgment of the undersigned, the references listed on the attached Form PTO-1449 may be material to the Examiner's consideration of the presently pending claims. However, the references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative relevance between references, whether cited in this statement or prior statements. This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. §102.

McDonnell Boehnen Hulbert & Berghoff
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1. U.S. Patent No. 4,871,091, issued October 3, 1989.
2. U.S. Patent No. 4,338,936, issued July 13, 1982.
3. U.S. Patent No. 5,094,594, issued March 10, 1992.
4. U.S. Patent No. 5,349,947, issued September 27, 1994.
5. Australian Patent No. 414085, published June 6, 1971.
6. French Patent No. 2 322 060, published March 25, 1977.
7. German Patent No. 27 17 578, published November 2, 1978.
8. International Patent No. WO 90/13328, published November 15, 1990.
9. French Patent No. 2 660 550, published October 11, 1991.
10. Great Britain Patent No. 2 255 918 A, published November 25, 1992.
11. International Patent No. WO 93/15972, published August 19, 1993.
12. International Patent No. WO 94/03135, published February 17, 1994.

In accordance with MPEP Sections 609 and 707.05(b), it is requested the document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not

believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

Respectfully submitted
McDONNELL BOEHNEN
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300 South Wacker Drive
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Dated: August 30, 2000

By: 

Steven J. Saruss
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